

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FILED
07 DEC 17 PM 3:19
RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Dear Sir or Madam:

Your complaint has been filed as civil case number

CV 07

6379

JW

(PR)

- ✓ A filing fee of \$350.00 is now due. If you are unable to pay the entire filing fee at this time, you must sign and complete this court's Prisoner's In Forma Pauperis Application in its entirety. If the application is granted, you will not have to prepay the fee, but it will be taken out of income to your prisoner account in installments.

Your complaint is deficient because you did not pay the filing fee and:

1. ☐ you did not file an In Forma Pauperis Application.
2. ✓ the In Forma Pauperis Application you submitted is insufficient because:

☐ You did not use the correct form. You must submit this court's current Prisoner's In Forma Pauperis Application.

☐ Your In Forma Pauperis Application was not completed in its entirety.

☐ You did not sign your In Forma Pauperis Application.

✓ ☐ You did not submit a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at the prison.

✓ ☐ You did not attach a copy of your prisoner trust account statement showing transactions for the last six months.

☐ Other _____

Enclosed you will find this court's current Prisoner's In Forma Pauperis Application, which includes a Certificate of Funds in Prisoner's Account form, and a return envelope for your convenience.

Warning: YOU MUST RESPOND TO THIS NOTICE. If you do not respond within THIRTY DAYS from the filing date stamped above, your action will be DISMISSED, the file closed and the entire filing fee will become due immediately. Filing a prisoner's In Forma Pauperis Application will allow the court to determine whether installment payment of the filing fee should be allowed.

Sincerely,
RICHARD W. WIEKING, Clerk,

By MSA
Deputy Clerk

E-FILED

IMMEDIATE
EXTENSION

FILED
DEC 17 2007
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JW

JIMMIE STEPHEN (JES) 07
M. BELTON
PRISONER/PLAINTIFF,
v.
WALTER "HERNANDEZ"
DEFENDANT(S).

CASE NUMBER

07 3372
REQUEST TO PROCEED WITHOUT
PREPAYMENT OF FILING FEES WITH
DECLARATION IN SUPPORT

(PR)

I, JIMMIE STEPHEN, declare under penalty of perjury, that the following is true and correct; that I am the prisoner-plaintiff in the above entitled case; that in support of my request to proceed without prepayment of fees under 28 U.S.C. Section 1915, I declare that because of my poverty I am unable to pay the full costs of said proceedings or to give security therefore and that I am entitled to redress.

I further declare under penalty of perjury that the responses which I have made to the questions and instructions below are true, correct and complete.

1. Are you presently employed in prison? ☐ Yes ☒ No

a. If the answer is yes, state the number of hours you work per week and the hourly rate of pay:

b. State the place of your incarceration CMC - P.O. Box 8101 - San Luis Obispo Calif.
Have the institution fill out the Certificate portion of this application and attach a certified copy of your prison trust account statement showing transactions for the past six months.

2. Have you received, within the past twelve months, any money from any of the following sources?
- a. Business, profession or form of self-employment? ☐ Yes ☒ No
 - b. Rent payments, interest or dividends? ☐ Yes ☒ No
 - c. Pensions, annuities or life insurance payments? ☐ Yes ☒ No
 - d. Gifts or inheritances? ☐ Yes ☒ No
 - e. Any other income (other than listed above)? ☐ Yes ☒ No
 - f. Loans? ☐ Yes ☒ No

If the answer to any of the above is yes, describe such source of money and state the amount received from each source during the past twelve (12) months:

REQUEST TO PROCEED WITHOUT PREPAYMENT OF FILING FEES WITH DECLARATION IN SUPPORT

3. Do you own any cash, or do you have money in a checking or savings account? (Include any funds in prison accounts, if applicable.) ☐ Yes ☒ No

If the answer is yes, identify each account and separately state the amount of money held in each account for each of the six (6) months prior to the date of this declaration.

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No

If the answer is yes, describe the property and state its approximate value: _____

5. In what year did you last file an Income Tax Return? 1971

Approximately how much income did your last tax return reflect? _____

6. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support: None

I understand that a false statement or answer to any question in this declaration will subject me to penalties for perjury. I further understand that perjury is punishable by a term of imprisonment of up to five (5) years and/or a fine of \$250,000 (18 U.S.C. Sections 1621, 3571).

California
State

1 San Luis Obispo
County (or City)

I, JIMMIE STEPHEN, declare under penalty of perjury that the foregoing is true and correct.

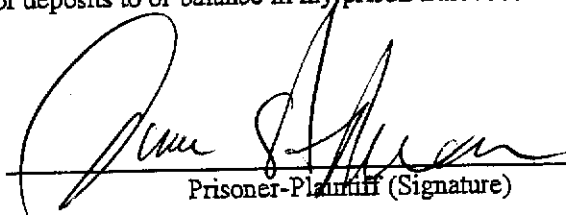
12-11-07
Date

Jimmie Stephen
Prisoner/Plaintiff (Signature)

sent to Court

PRISONER AUTHORIZATION

If my request to proceed without prepayment of filing fees is granted, I understand that I am required by statute to pay the full amount of the filing fees for this case, regardless of my forma pauperis status and the disposition of this case. I further authorize the prison officials at this institution to assess, collect and forward to the Court the full amount of these fees, in monthly payments based on the average of deposits to or balance in my prison trust account in accordance with 28 U.S.C. Section 1915.


Prisoner-Plaintiff (Signature)

CERTIFICATE OF AUTHORIZED OFFICER

I hereby certify that the Prisoner-Plaintiff herein has credit in the sum of \$ 0 on account at the CALIFORNIA MEN'S COLONY institution where Prisoner-Plaintiff is confined.

I further certify that during the past six months the applicant's average monthly balance was \$ _____. I further certify that during the past six months the average of monthly deposits to the applicant's account was \$ _____.

A certified copy of the prisoner-plaintiff's trust account statement for the last six (6) months is attached.

Dec. 13, 2007
Date

Karen Mock Acct. Tech.
Authorized Officer of Institution (Signature)

**INMATE REQUEST FOR
CERTIFIED STATEMENT OF TRUST ACCOUNT**

I, JIMMIE STEPHEN, C56483, A-1/49
Name: CDC #: Housing Unit
 am seeking to bring a civil action or appeal a judgment in
U.S. DIST. Northern without prepayment of fees
Title of the Court: (i.e. U. S. District Court)
 (In Forma Pauperis) pursuant to 28 U.S.C. 1915(a)(2).

Enter the caption for the legal action:

JIMMIE STEPHEN v. HEWITT
Plaintiff: Defendant:

Address of the Court:

U.S. District Court-N
450 Golden Gate NW
San Francisco, California 94102-
3483

In order to proceed, a certified copy of my Trust Fund Account must be submitted to the court of jurisdiction. I understand that CDC regulations and the court require that the certified copy be submitted directly to the Court from the Institution's Accounting office. I request a statement be sent to the court.

Jimmie Stephen
Inmate Signature:

This form must be submitted to the Central Librarian who will log the request in and forward the form to the Accounting office at the institution for processing.

The Inmate Request For Certified Statement Of Trust Account was received in the Central Library on, _____,

Date:

by _____

Name of Librarian who logged request

A Certified Statement Of Trust Account for a six month period from June 1, 2007 through Dec. 13, 2007 for the above
Date: Date:
 identified inmate was processed through the Accounting Office at the Richard J. Donovan Correctional Facility C.M.C. State Prison
 on, Dec. 13, 2007, by Karen Mock
Date: Name of person processing

I, Karen Mock declare that on, 12-13-2007, I
Name of person processing Date:
 deposited the Certified Statement of Trust Account in the United States Postal Service addressed as follows.

Signed: Karen L. Mock - Acct Tech.
Signature of employee mailing statement

CALIFORNIA DEPARTMENT OF CORRECTIONS
CALIFORNIA NEWS COLONY
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUN. 01, 2007 THRU DEC. 13, 2007

ACCOUNT NUMBER : C56483

BED/CELL NUMBER: EFAQB1F100001149K

ACCOUNT NAME : STEPHEN, JIMMIE EARL

ACCOUNT TYPE: I

PRIVILEGE GROUP: B

TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

CURRENT HOLDS IN EFFECT

| DATE PLACED | HOLD CODE | DESCRIPTION | COMMENT | HOLD AMOUNT |
|----------------|--------------|----------------------------|----------|-------------|
| 04/17/2007 | H106 | UNITED PARCEL SERVICE HOLD | 4498/501 | 3.07 |

TRUST ACCOUNT SUMMARY

| BEGINNING BALANCE | TOTAL DEPOSITS | TOTAL WITHDRAWALS | CURRENT BALANCE | HOLDS BALANCE | TRANSACTIONS TO BE POSTED |
|----------------------|-------------------|----------------------|--------------------|------------------|------------------------------|
| 0.00 | 0.00 | 0.00 | 0.00 | 3.07 | 0.00 |



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.

ATTEST: 12-13-2007

CALIFORNIA DEPARTMENT OF CORRECTIONS

BY Karen Mock tech.
TRUST OFFICE

CURRENT
AVAILABLE
BALANCE

3.07-

CALIFORNIA DEPARTMENT OF CORRECTIONS

CALIFORNIA MENS COLONY

INMATE TRUST ACCOUNTING SYSTEM

INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUN. 01, 2007 THRU DEC. 13, 2007

TOTAL NUMBER OF STATEMENTS PRINTED: 1

TOTAL CURRENT BALANCE FOR ALL THE STATEMENTS: 0.00

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By MSA
Deputy Clerk